

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA**

U.S.A. vs. Tony Lynn Winstead

Docket No. 5:18-CR-347-3BO

Petition for Action on Conditions of Pretrial Release

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting an official report upon the conduct of defendant, Tony Lynn Winstead, who was placed under pretrial release supervision by the Honorable Robert T. Numbers, II, U.S. Magistrate Judge, sitting in the Court at Raleigh, on the 7th day of September, 2018.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: As one of the conditions of release, the defendant was ordered to submit to home detention with Global Positioning Satellite (GPS) monitoring and reside with his brother, Mark Winstead, in Kenly, North Carolina. The probation office has monitored the defendant's actions since his release, and the defendant appears to be abiding by his conditions of release. However, the probation office has encountered several problems with the effectiveness of GPS monitoring equipment due to the location of the defendant's residence. As a result, it is recommended that the defendant's monitoring be modified from GPS monitoring to Radio Frequency (RF) monitoring, in addition to changing the location restriction program from home detention to a curfew, as directed by the probation officer. There is currently a landline telephone at the residence, and this would allow the probation officer to effectively monitor the defendant's presence at the residence without the need of additional cellular phone coverage as required with GPS monitoring. While the government opposes any change to the conditions of release, the probation office is unable to effectively implement the GPS requirement due to the location where the defendant lives. As a result, this is viewed as a necessary modification by our office.

PRAYING THAT THE COURT WILL ORDER

- The defendant must adhere to a curfew as directed by the probation officer until further court order. The defendant is restricted to his residence during the curfew hours. The defendant must submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Jeffrey L. Keller

Jeffrey L. Keller

Supervising U.S. Probation Officer

/s/ Scott Plaster

Scott Plaster

U.S. Probation Officer

310 New Bern Avenue, Room 610

Raleigh, NC 27601-1441


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Executed On: September 26, 2018

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ORDER OF THE COURT

Considered and ordered on September 26, 2018 . It is further ordered that this document shall be filed and made a part of the records in the above case.

A handwritten signature in black ink, reading "Robert T. Numbers, II". The signature is written in a cursive style with a horizontal line underneath.

Robert T. Numbers, II
United States Magistrate Judge